



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 27, 2020

TIME: 8:35 AM

WSR 20-08-078

Agency: Department of Commerce

Original Notice

Supplemental Notice to WSR

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 19-15-090 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) The proposed rules to update appliance standards in Chapter 194-24 WAC

Hearing location(s):

Date:

Time:

Location: (be specific)

Comment:

May 5, 2020

3:00

Washington Department of
Commerce
1011 Plum Street SE
Olympia, WA 98501

Remote testimony will be an option.

Date of intended adoption: May 6, 2020 (Note: This is NOT the effective date)

Submit written comments to:

Name: Sarah Vorpahl

Address: Washington Department of Commerce, PO Box 42525, Olympia, WA 98504

Email: Appliances@commerce.wa.gov

Fax:

Other:

By (date) May 5, 2020

Assistance for persons with disabilities:

Contact Austin Scharff

Phone:

Fax:

TTY:

Email: Austin.scharff@commerce.wa.gov

Other:

By (date) May 5, 2020

Purpose of the proposal and its anticipated effects, including any changes in existing rules: This proposal updates WAC 194-24 and to include three new product standards: air compressors, portable air conditioners and uninterruptible power supplies. The effective dates of standards in this legislation are based on date of manufacture, not the date of sale. Products already in stores or warehouses may be installed after the new standards take effect. The standards apply to manufacturers, distributors, retailers, and installers, rather than to individual consumers..

Reasons supporting proposal: The proposed rules implement statutory change to our existing state standards. These standards represent a cost-effective strategy to protect consumers and businesses and strengthen the state's economy. Efficient products save energy and water, reduce long-term operating costs, and cut greenhouse gas emissions.

Statutory authority for adoption: RCW 19.260.070, RCW 19.260.040.

Statute being implemented: Chapter 19.260 RCW

Is rule necessary because of a:

- Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Washington Department of Commerce Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Sarah Vorpahl	1011 Plum Street SE PO Box 42525 Olympia, WA 98504-2525	360-680-6000
Implementation:	Washington Department of Commerce	1011 Plum Street SE PO Box 42525 Olympia, WA 98504-2525	360 407-6000
Enforcement:	Washington Department of Commerce	1011 Plum Street SE PO Box 42525 Olympia, WA 98504-2525	360 407-6000

Is a school district fiscal impact statement required under RCW 28A.305.135? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

- Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under RCW 34.05.328?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

- Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

No: Please explain: RCW 34.05.328 does not apply to the Department of Commerce.

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- | | |
|---|--|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's analysis showing how costs were calculated. The rules implement statutory requirements and do not impose costs beyond what is required to comply with the statute.
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: March 27, 2020

Name: Sarah Coggins

Title: Rules Coordinator

Signature:

